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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

CITY BOXING CLUB, *et al.*,

Plaintiffs,

v.

USA BOXING, INC. dba USA BOXING, *et al.*,

Defendants.

Case No.: 2:23-cv-00708-JAD-DJA

**Stipulation and Order to Extend
 Discovery Plan and Related
 Dates**

(Sixth Request)

Plaintiffs, City Boxing Club, City Athletic Boxing LLC, and Armin Van Damme
 (“Plaintiffs”), and Defendants, USA Boxing, Inc. dba USA Boxing, Scottsdale Insurance
 Company, Nationwide Mutual Insurance Company, and K&K Insurance Group, Inc.
 (“Defendants”) (collectively the “Parties”) hereby stipulate to and respectfully submit their
 request that the Court enter this proposed Joint Stipulation and Order to Extend
 Discovery Deadlines and Related Dates (Sixth Request) in the above-captioned litigation.
 The Parties make this Stipulation pursuant to Local Rule IA 6-1 and Local Rule LR 26-3.

This is the Parties’ sixth request for an extension. The Parties respectfully request
 that these deadlines be extended by seventy-five (75) days, as outlined in Section VI, *infra*.

I. Standard of Review

1 Parties seeking to extend discovery deadlines must provide the reasons for the
2 extension and must inform the Court of all previously granted extensions. LR IA 6-1. A
3 discovery extension also requires a showing of good cause. LR 26-3. “The ‘good cause’
4 inquiry focuses mostly on the movant’s diligence.” *Victor v. Walmart, Inc.*, 2021 U.S. Dist.
5 LEXIS 163908 (slip copy Apr 8, 2021), at *41 (citing *Johnson v. Mammoth Recreations,*
6 *Inc.*, 975 F.2d 604, 609) (9th Cir. 1992).

7 **II. Description of Discovery That Has been Completed**

8 The Parties have diligently pursued discovery, and have completed the following:

9 1. On July 10, 2023, Defendants USA Boxing, Inc. and Michael McAtee served
10 their initial disclosures, though without attaching the documents identified in the
11 disclosure.

12 2. On July 31, 2023, Defendants Scottsdale Insurance Company, Nationwide
13 Mutual Insurance Company, K&K Insurance Group, Inc. served their initial disclosures,
14 though without attaching the documents identified in the disclosure.

15 3. On July 31, 2023, Defendant Scottsdale Insurance Company served
16 interrogatories and requests for admissions upon Plaintiffs.

17 4. On August 2, 2023, Plaintiffs served their initial disclosures.

18 5. On August 9, 2023, Plaintiff City Boxing Club served requests for admissions
19 and requests for production of documents upon Defendants USA Boxing, Inc., Scottsdale
20 Insurance Company, Nationwide Mutual Insurance Company, and K&K Insurance Group.

21 6. On August 18, 2023, Defendants Scottsdale Insurance Company, Nationwide
22 Mutual Insurance Company, K&K Insurance Group, Inc. provided copies of the documents
23 identified in their initial disclosures.

1 7. On August 18, 2023, Defendant Scottsdale Insurance Company served
2 requests for production of documents and a second set of interrogatories to Plaintiffs.

3 8. On August 18, 2022, Defendant Scottsdale Insurance Company served
4 interrogatories to USA Boxing, Inc.

5 9. On August 18, 2022, Defendant Nationwide Mutual Insurance Company
6 served interrogatories to USA Boxing, Inc.

7 10. On August 30, 2023, Defendants USA Boxing, Inc. and Michael McAtee
8 served their first supplemental disclosures, with documents attached.

9 11. On September 8, 2023, Defendants USA Boxing, Inc. and Michael McAtee
10 served their second supplemental disclosures.

11 12. On September 15, 2023, Defendant Nationwide Mutual Insurance Company
12 served interrogators to City Boxing Club.

13 13. On September 18, 2023, Plaintiffs served their second supplemental
14 disclosures.

15 14. On October 6, 2023, Plaintiff City Boxing Club served interrogatories,
16 request for admissions (set 2), and request for productions (set 2) to K&K Insurance Group.

17 15. On October 6, 2023, Plaintiff City Boxing Club served interrogatories,
18 request for admissions (set 2), and request for production (set 2) to USA Boxing Club.

19 16. On October 6, 2023, Plaintiff City Boxing Club served interrogatories,
20 request for admissions (set 2), and request for productions (set 2) to Scottsdale Insurance
21 Company.

22 17. On October 6, 2023, Plaintiff City Boxing Club served interrogatories,
23 request for admissions (set 2), and request for productions (set 2) to Nationwide Mutual
Insurance Company.

1 18. On October 26, 2023, Defendant Nationwide Mutual Insurance Company
2 served interrogatories (set 2) to City Boxing Club.

3 19. On October 30, 2023, Defendants USA Boxing, Inc. and Michael McAtee
4 served their third supplemental disclosures.

5 20. On November 6, 2023, Plaintiff City Boxing Club served interrogatories,
6 requests for production (set 2), and requests for admissions (set 2) to Defendant
7 Nationwide Mutual Insurance Company.

8 21. On November 13, 2023, Defendant Scottsdale Insurance Company served
9 requests for admissions to Plaintiffs (set 2).

10 22. On November 15, 2023, Plaintiffs served their second supplemental
11 disclosures.

12 23. On November 17, 2023, Plaintiffs served their third supplemental
13 disclosures.

14 24. On November 29, 2023, Defendants K&K Insurance Group, Inc. and
15 Scottsdale Insurance Company served their first supplemental disclosures.

16 25. On November 29, 2023, Plaintiffs took the deposition of Mary Mullins, an
17 insurance adjuster with K&K Insurance Group, Inc.

18 26. On December 7, 2023, Plaintiffs took the deposition of Paula Creel, an
19 insurance adjuster with K&K Insurance Group, Inc.

20 27. On December 11, 2023, Plaintiffs took the deposition of Michael McAtee, the
21 executive director of Defendant USA Boxing, in his individual capacity and as an FRCP
22 30(b)(6) designee.

23 28. On December 12, 2023, Defendant Nationwide Mutual Insurance Company
served interrogatories (set 2) to Defendant USA Boxing.

1 29. On December 13, 2023, Plaintiffs took the deposition of Lynette Smith, the
2 membership director of Defendant USA Boxing.

3 30. On December 14, 2023, Defendant Scottsdale Insurance Company served
4 requests for production to USA Boxing.

5 31. On January 12, 2024, Plaintiff City Boxing Club served requests for
6 production (set 3) on Defendant USA Boxing.

7 32. On January 12, 2024, Plaintiffs served their fourth supplemental disclosures.

8 33. On January 16, 2024, Plaintiffs served their fifth supplemental disclosures.

9 34. On January 17, 2024, Plaintiffs took the deposition of Plaintiff Armin Van
10 Damme, which deposition did not conclude on that date and the parties agreed to conclude
11 the deposition on a future date.

12 35. On February 2, 2024, Defendant Scottsdale Insurance Company notified the
13 other parties of its intent to serve a subpoena to USI Insurance Services, LLC for business
14 records relating to this action, which subpoena was thereafter served.

15 36. On February 8, 2024, Defendants USA Boxing, Inc. and Michael McAtee
16 served their fourth supplemental disclosures.

17 37. On February 8, 2024, Defendants K&K Insurance Group, Inc. and Scottsdale
18 Insurance Company served their second supplemental disclosures.

19 38. On February 9, 2024, the continued deposition of Plaintiff Armin Van
20 Damme, individually and as the FRCP 30(b)(6) designee of Plaintiff City Boxing Club was
21 concluded.

22 39. On February 13, 2024, Plaintiffs took the deposition of fact witness Jeremy
23 Holder, an employee of Defendant Scottsdale Insurance Company.

1 40. On February 29, 2024, Defendants USA Boxing, Inc. and Michael McAtee
2 provided their fifth supplemental disclosures.

3 41. On February 29, 2024, Defendant USA Boxing, Inc. responded to requests
4 for production (set 2) from Defendant Scottsdale Insurance Company.

5 42. On March 6, 2024, Defendant USA Boxing, Inc. responded to
6 interrogatories from Defendant Nationwide Mutual Insurance Company.

7 43. On March 25, 2024, Defendant USA Boxing, Inc. responded to Plaintiff
8 City Boxing Club's interrogatories (set 2), requests for admissions (set 3), and requests
9 for production of documents (set 4) with documents/information still pending.

10 44. On March 25, 2024, Defendant Scottsdale Insurance Company responded
11 to Plaintiff City Boxing Club's interrogatories (set 2) and requests for production of
12 documents (set 3).

13 45. On April 4, 2024, Defendant K&K Insurance Group responded to Plaintiff
14 City Boxing Club's interrogatories (set 2) and requests for production of documents (set
15 3).

16 46. On April 11, 2024, Plaintiffs responded to Defendant Scottsdale Insurance
17 Company's interrogatories (set 2).

18 47. On April 17, 2024, Plaintiffs took the deposition of fact witness David
19 Mansur, an employee of Scottsdale Insurance Company.

20 48. On April 26, 2024, Plaintiffs provided supplemental responses to
21 Defendant Scottsdale Insurance Company's requests for production of documents (set
22 2).

1 49. On October 7, 2024, Plaintiffs served their requests for admissions (3rd
2 set) to Scottsdale Insurance Company, and responses thereto have been provided.

3 50. On October 7, 2024, Plaintiffs served their requests for production of
4 documents (4th set) and requests for admissions (3rd set) to K&K Insurance Group,
5 Inc., and responses thereto have been provided.

6 51. On November 11, 2025, Scottsdale Insurance Company served their
7 requests for production of documents (3rd set) to Plaintiffs, and responses and
8 supplemental responses thereto have been provided.

9 52. On December 20, 2024, Scottsdale Insurance Company filed a motion to
10 compel Plaintiffs to disclose documents and pay sanctions, which was fully briefed and
11 then argued before the Magistrate Judge, who compelled the disclosure but did not
12 order sanctions.

13 53. On January 24, 2025, a stipulated protective order was entered regarding
14 certain documents that the parties planned to disclose but sought to protect.

15 54. On January 24, 2025, Scottsdale Insurance Company and K&K Insurance
16 Group, Inc. disclosed various documents pursuant to the protective order of the same
17 date.

18 55. On January 29, 2025, Scottsdale Insurance Company served their
19 interrogatories (3rd set) to Plaintiffs, and responses thereto have been provided.

20 56. On February 3, 2025, Plaintiffs and Defendants Scottsdale Insurance
21 Company and K&K Insurance Group, Inc. respectively provided their initial expert
22 disclosures.

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1 57. On February 21, 2025, Plaintiffs served their sixth supplemental
2 disclosures.

3 58. On February 21, 2025, Plaintiffs served their seventh supplemental
4 disclosures.

5 59. On February 22, 2025, Plaintiffs served their interrogatories (3rd set) and
6 requests for production of documents (4th set) to Scottsdale Insurance Company and
7 responses thereto are pending.

8 60. On February 22, 2025, Plaintiffs served their interrogatories (3rd set) and
9 requests for production of documents (5th set) to USA Boxing and responses thereto
10 are pending.

11 61. On February 26, 2025, Plaintiffs served their requests to produce
12 documents to K&K Insurance Group, Inc. (5th set) and to Scottsdale Insurance
13 Company (5th set), which have been withdrawn by Plaintiffs.

14 62. On March 5, 2025, Plaintiffs and Defendants Scottsdale Insurance
15 Company and K&K Insurance Group, Inc. respectively provided their rebuttal expert
16 disclosures.

17 63. On March 14, 2025, third-party David Churchill produced documents in
18 response to the subpoena that Defendant Scottsdale Insurance Company served back
19 in November 2024.

20 **III. Description of Discovery Remaining**

21 1. Depositions of disclosed witnesses, which have posed scheduling issues
22 necessitating this extension. As of today, the following depositions are scheduled:
23

Date	Witness
March 28, 2025	USI Insurance Services
April 1, 2025	Tim Walker (Scottsdale's and K&K's expert)
April 3, 2025	Charles Miller (Plaintiffs' expert)

2. On March 5, 2025, Defendants Scottsdale Insurance Company and K&K Insurance Group advised all other counsel that they intend to take the depositions of David Churchill and Daniel Price as a result of the additional documents that Plaintiffs disclosed on February 21, 2025.

3. On March 7, 2025, Scottsdale and K&K noticed the deposition of David Churchill to occur on March 26th. On that same day, Daniel Price notified Scottsdale and K&K that he objects to the taking of his deposition pursuant to Shelton v. Am. Motors Corp., 805 F.2d 1323 (8th Cir. 1986).

4. On March 10, 2025, Plaintiffs served Defendants Scottsdale Insurance Company and K&K Insurance Group each with notices to take their respective depositions pursuant to FRCP 30(b)(6). Those notices request testimony from each entity on 16 individual topics with 20 subtopics.

5. The Parties may wish to conduct follow-up written discovery, issue additional subpoenas, and/or conduct additional depositions depending on the information learned from the above-listed depositions.

**IV. Reasons Why Discovery Will Not be Completed Within the Time
Limit Set by The Original Discovery Plan**

1. This is a complex dispute with multiple parties and multiple claims. The parties have diligently conducted discovery in this matter, including depositions, mandatory disclosures and supplements thereto, and written discovery requests. Most recently the parties have disclosed initial and rebuttal expert witnesses and the parties are working together to schedule depositions of those witnesses as well as designees of Scottsdale Insurance Company and K&K Insurance Group, Inc. Because of the multiparty nature of this action and scheduling conflicts including the schedules of the expert witnesses, completing the depositions before the close of discovery is impossible.

2. With respect to the deposition of Daniel Price that Scottsdale and K&K have requested, on March 7th Mr. Price advised that he objects to his deposition pursuant to Shelton v. Am. Motors Corp., 805 F.2d 1323 (8th Cir. 1986). As of the date of this stipulation, the parties have not yet completed their meet-and-confer obligations with respect to this issue. But all counsel intend to confer in good faith on this issue in an effort to avoid having to seek the Court's intervention.

3. With respect to the deposition of David Churchill that Scottsdale and K&K have requested, on March 10th USA Boxing's counsel notified all other counsel that he is not available on the date that Plaintiffs' counsel and Scottsdale and K&K's counsel had agreed upon for the deposition. As a result, the parties are still working to schedule Mr. Churchill's deposition for a date that works for all counsel, and it does not appear that we will be able to schedule that deposition prior to the existing April 4th discovery cutoff in light of the other depositions that are already scheduled.

1 4. On March 14, 2025, counsel for Scottsdale and K&K conferred with
2 Plaintiffs' counsel by phone to discuss each of the Rule 30(b)(6) deposition notices that
3 Plaintiffs served on March 10th. Scottsdale and K&K's counsel advised that he needs to
4 confer with Plaintiffs' counsel over the deposition topics set forth in each of the notices
5 so that Scottsdale and K&K can identify the appropriate corporate designees to testify
6 on their behalf. Plaintiffs' counsel agreed, and the parties have thus scheduled a
7 meeting for March 20th to confer. Scottsdale and K&K's counsel further advised
8 Plaintiffs' counsel that it is not practical for either entity to identify designees to testify
9 on the numerous topics set forth in the deposition notices *and* schedule their respective
10 depositions to take place prior to the existing April 4th deadline to complete discovery.
11 Thus, the parties agreed to ask the Court for an extension of the discovery completion
12 deadline to facilitate the necessary meet-and-confer efforts and the scheduling of the
13 Rule 30(b)(6) depositions that Plaintiffs have requested.

14 **V. The Requested Extension Satisfies the Good Cause Standard**

15 Good cause exists to grant the Parties' requested extension of the discovery
16 deadlines. As explained in Sections II and IV, *supra*, the Parties have not been idle and
17 merely need time to accommodate schedules, including those of expert witnesses and
18 Rule 30(b)(6) designees. Under the circumstances, the parties submit that there is good
19 cause to grant an extension of the discovery schedule.
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VI. Proposed Schedule for Completing All Remaining Discovery

The Parties propose the following deadlines:

	Current Deadline	Proposed Deadline
Initial Expert Disclosures	February 3, 2025	Passed.
Amend Pleadings and Add Parties	June 7, 2024	Passed.
Rebuttal Expert Disclosures	March 5, 2025	Passed.
Discovery Cutoff	April 4, 2025	June 18, 2025.
Dispositive Motions	May 5, 2025	July 20, 2025.
Joint Proposed Pretrial Order	June 4, 2025 (or 30 days after resolution of dispositive motions)	August 18, 2025. (or 30 days after resolution of dispositive motions.

Accordingly, the parties seek this sixth extension of the discovery deadlines, as stated above.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: March 19, 2025.

Dated: March 19, 2025.

/s/ Daniel Price

/s/ Wing Wong (with permission)

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1 Dated: March 19, 2025.

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9
10 IT IS SO ORDERED.

11 

12 DANIEL J. ALBREGTS

UNITED STATES MAGISTRATE JUDGE

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14 DATED: 3/20/2025